

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Bhoopalpalli Gram Panchayat & Mandal – Appeal petition filed by Smt. Burra Soundarya, Sarpanch (Removed), Bhoopalpalli Village and Mandal, Warangal District, – against the Proceedings of the District Collector (PW), Nalgonda District - Disallowed - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 1084

Date:12-07-2011.

Read the following:

1. From the Dist. Collector, Warangal Dist., Procds. No.1772/09-A2(Pts), Dated 18-03-2011.
2. Appeal Petition filed by Smt. Burra Soundarya, Sarpanch (Removed), Bhupalpalli Gram Panchayat and Mandal, Warangal District. dt. 01-4-2011.
3. Govt. Memo.No. 17243/Pts.II/A1/2010-2, dt 16-04-2011.
4. From the Asst. Registrar, A.P.H.C., Hyderabad W.P.No.10564 of 2011, Dated 19.04.2011.
5. From the District Collector (PW), Warangal District Lr.Rc.No. 1772/09-A2(Pts), Dated 7.5.2011.
6. Govt. Memo.No. 17243/Pts.II/A1/2010-5, dt 25-05-2011.
7. From the District Collector(PW), Warangal Dist.,Rc.No.1772 /09-A2(Pts), Dated 21-05-2011.
8. From the District Collector(PW), Warangal Dist.,Rc.No.1772 /09-A2(Pts), Dated 21-05-2011.
9. From the DPO, Warangal Dist.,Rc.No.1772/09-A2(Pts), Dated. 06/2011.

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ORDER:

In the reference 1st read above, the District Collector (PW), Warangal District has removed Smt. Burra Soundarya from the post of the Sarpanch, Bhoopalpalli Gram Panchayat and Mandal, Warangal District U/s 249(1) of Andhra Pradesh Panchayat Raj Act, 1994 for misuse of powers and misappropriation of Gram Panchayat funds.

2. Aggrieved by the said orders, Smt. Burra Soundarya, Sarpanch (Removed), Bhupalpalli Gram Panchayat and Mandal, Warangal District has filed an Appeal Petition before Government praying to suspended the order No. 1772/A2/2010, dt. 18.3.2011 of the district Collector (PW), Warangal District.

3. In the reference 3rd read above, Government has issued orders differing the appeal petition filed by Smt. Burra Soundarya, Sarpanch (Removed), Bhupalpalli Gram Panchayat and Mandal, Warangal District . since she is involved in misappropriation huge amount.

4. In the mean time the petitioner has gone to the Hon'ble High Court and filed a Writ Petition 10564 of 2011 and the Hon'ble High Court in their order dt. 19.4.11 has directed to the Government to dispose of the stay application filed by the petitioner against the orders of the District Collector, Warabgal, dt. 18.3.2011 as early as possible, preferably within a period of a two weeks from the date of

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receipt of a copy of the order. In the reference 4th read above, the petitioner while enclosing High Court orders has requested the Government to examine the case and reinstate him as Sarpanch.

5. In the reference 5th read above, the District Collector, Warangal, has reported that the Sarpanch of Bhopalpally Gram Panchayat was misappropriated an amount of Rs. 48,75,925/- on various Gram Panchayat funds and after detail enquiry into the matter she was removed from the post of the sarpanch of Bhoopalpally Gram Panchayat. He further stated that she further misappropriated an amount of Rs. 25,00,000/- approximately.

6. The case was heard on 10.5.2011. The District Panchayat Officer and Sarpanch and her counsel attended the hearing. During the hearing the District Panchayat Officer has explained in detail about the removal of the Sarpanch. He has stated that the sarpanch has not maintained records of tap connections for the year 2008-09 and 2009-10. He has also not maintained mutation of immovable properties register and not maintained records relating to granting permission for construction of houses properly. She has not followed rules and regulation for permission. No stock register for street lights and electrical instruments were maintained. She has misused an amount of Rs.48,75,925/- on various purchases and works without stock registers, Measurement Books and required permissions from the higher authorities. The counsel for Sarpanch has stated that the Sarpanch has executed the works of the Gram Panchayat properly and could not submit her explanation as the records were seized by the District Panchayat Officer. Further stated that for submission of the explanation the records are not made available to her and requested to arrange for supply of the records to her. The District Panchayat Officer has stated that no body approached her till the date and expressed to supply the copies of the records for taking further action. After hearing them, it was felt that the District Panchayat Officer was to make available the required records to her immediately, obtain the reply from the Sarpanch and submit a report to the Government. Accordingly the District Panchayat Officer has been instructed during the hearings and issued instructions vide reference 6th read above to the District Collector etc. by calling the report of the District Collector.

7. In the reference 7th read above, the District Collector(PW), Warangal has reported that as per direction of the Government, copies have been given to the Sarpanch, Bhoopalpally and the Sarpanch Smt. Burra Soundarya has not offered any fresh information by submitting her explanation in written.

8. The case was heard on 29.06-11. The District Panchayat Officer has informed that the copies of all the records sought by her were handed over to her by obtaining due acknowledgement and directed her to settle accounts for alleged misappropriation of Rs. 49,41,322. Even though the records were made available, she has not submitted any explanation. During the hearings the sarpanch stated that the records are not sufficient to furnish her reply and requested to supply all the records, whereas the District Panchayat Officer reported that all the records sought by her have been supplied to her.

9. After hearing them and on perusal of the records made available, it has been observed that the sarpanch has misappropriated huge amount of the Gram Panchayat funds and acted against the procedure prescribed in APPR Act 1994.

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10. The Government after careful examination of the matter and based on the available material in the records hereby disallows the appeal filed by Smt. Burra Soundarya, Sarpanch (Removed), Bhoopalpalli Village and Mandal, Warangal District and the proceedings of the District Collector(PW), Warangal issued vide reference 1st read above are hereby confirmed.

11. The District Collector (PW), Warangal District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector (PW), Warangal District.
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.
The District Panchayat Officer, Warangal District.

Copy to:

Smt. Burra Soundarya, Sarpanch(U/s), Bhoopalpalli Village and
Mandal, Warangal District,
The Govt. Pleader for PR&RD, AP High Court, Hyderabad.
(with a request to appraise the position to the Hon'ble High Court)
The PS to M(PR&RWS)
The PS to Prl. Secy. to Government.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER